

MANDATES, ECONOMIC IMPACTS, AND LOCAL CONCERNS:
WHO SHOULD MANAGE MOUNT ST. HELENS?



Kathy and Steve Berman Environmental Law Clinic
University of Washington School of Law

For the National Parks Conservation Association

November 20, 2008

Table of Contents

Foreword.....	iii
Introduction	1
Management under the National Park Service (NPS).....	3
NPS and Forest Service Mandates and Purpose of Mount St. Helens National Monument	3
Federal Funding	6
Mount St. Helens National Park.....	9
Estimated effects of redesignation on visitation	10
Increased Economic Activity	12
Addressing local concerns.....	14
Recreation	15
Air Quality Regulation	16
Loss of Extraction and Recreation Industries.....	17
Conclusion.....	18

Foreword

This report has been prepared for the benefit of the Mount St. Helens Citizen's Advisory Committee as it considers future options for the management of Mount St. Helens. This report argues that the management of Mount St. Helens should be transferred to the National Park Service and redesignated as Mount St. Helens National Park.

Introduction

Mount St. Helens has a long history as a majestic mountain of the Cascade Range, part of the Pacific Ring of Fire, source of legends of the Klickitat, Cowlitz, and Salish tribes, destination of mountaineers, adventurers, Boy Scout, Girl Scout and church groups, and a rich source of timber.¹ On May 18, 1980, however, an earthquake triggered a nine-hour eruption of Mount St. Helens.² Rock exploded from the volcano at an estimated 1,000 degrees Fahrenheit, instantly turning 70% of the mountain's ice and snow into water.³ Avalanches ran down the mountain at speeds up to 80 miles per hour.⁴ The volcano lost over 1,300 feet in height, dropping from the 5th tallest peak in Washington to the 30th.⁵ The eruption devastated plant and animal life in the surrounding area, knocking down trees as far as 17 miles away.⁶ Tragically, more than 50 people lost their lives.⁷

At the time of the 1980 eruption, the US Forest Service managed some of the lands on and around Mount St. Helens as part of the Gifford Pinchot National Forest. Following the eruption, the Forest Service acted quickly to consolidate ownership of the land encompassing Mount St. Helens, obtaining substantial holdings from private landowners in order to preserve unique features of the impact zone.⁸ In October 1981, the Forest Service issued a management

¹ Rob Carson, Mount St. Helens The Eruption and Recovery of a Volcano 16 (Sasquatch Books 1990).

² Mount St. Helens National Volcanic Monument, <http://www.fs.fed.us/gpnf/mshnvm> (last visited Oct. 23, 2008).

³ Rob Carson, Mount St. Helens The Eruption and Recovery of a Volcano 71 - 72 (Sasquatch Books 1990).

⁴ *Id.*

⁵ *Id.* at 9.

⁶ *Id.* at 9.

⁷ Mount St. Helens National Volcanic Monument, <http://www.fs.fed.us/gpnf/mshnvm> (last visited Jan. 28, 2008).

⁸ Gerald Williams, U.S. Dep't Agric. Forest Serv., National Monuments and the Forest Service (2003), http://www.nps.gov/history/history/online_books/fs/monuments.htm; Establishing a Mount St. Helens National Volcanic Monument in the State of Washington, S. Rep. No. 97-481, at 10-17 (1982).

plan administratively designating 84,700 acres as the Mount St. Helens Volcanic Area.⁹ In 1982, Congress designated this area, plus an additional 26,330 acres, as the Mount St. Helens National Volcanic Monument.¹⁰ Related in large measure to the Forest Service's early and active role in the management of the Forest Service lands on and around Mount St. Helens, the new Monument remained under the management of the Forest Service at the time of Congress' designation,¹¹ and has remained in the Forest Service's care for the past 26 years.

Congress established Mount St. Helens National Volcanic Monument to, "protect geologic, ecologic, and cultural resources,"¹² while simultaneously recognizing the irreplaceable opportunity for scientists and tourists alike to observe the natural recovery of a devastated environment.¹³ These purposes require both protection of the Mount St. Helens landscape, as well as development of access to the educational and recreational opportunities the mountain has to offer. We conclude in this Report that these dual goals would be best achieved if Congress placed Mount St. Helens under the management of the National Park Service ("NPS"). The NPS has the appropriate mandate, the appropriate funding mechanisms, and the appropriate management experience to properly balance the competing interests of use and preservation to meet the goals that Congress established and the promise that Mount St. Helens holds for future generations.

It would be of further benefit, both to Mount St. Helens and its surrounding communities, for the 110,330-acre Monument to be redesignated Mount St. Helens National Park. The designation "National Park" brings with it the prestige of being one of the rare "crown jewels" of

⁹ Establishing a Mount St. Helens National Volcanic Monument in the State of Washington, S. Rep. No. 97-481, 13 (1982).

¹⁰ Act of August 26, 1982, Pub. L. No. 97-243, 96 Stat. 301.

¹¹ Act of August 26, 1982, Pub. L. No. 97-243, 96 Stat. 301.

¹² Act of August 26, 1982, Pub. L. No. 97-243, 96 Stat. 301. (add sec. 4 (b)(1))

¹³ Establishing a Mount St. Helens National Volcanic Monument in the State of Washington, S. Rep. No. 97-481, 9 (1982).

the Nation. The redesignation of Mount St. Helens from Monument to National Park will not only afford the Mountain the prestige associated with National Parks in general, but will bring with it additional tourist dollars from non-local visitors that will benefit surrounding communities.

Management under the National Park Service (NPS)

Placing Mount St. Helens under the management of the NPS is the most effective way to achieve the purposes for which Congress designated Mount St. Helens a National Monument in 1982. The NPS' management mandate is consistent and co-extensive with Congress' stated purpose in establishing Mount St. Helens as a National Monument, and the NPS has more extensive experience than does the Forest Service in managing National Monuments and other specially designated public lands. Further, the NPS funding process focuses on securing financial support earmarked for individual NPS units, rather than seeking funds for the agency as a whole. This funding process would reduce the competition between the monument and other units of the Forest Service on an administrative level, and would also allow Mount St. Helens' management the opportunity to seek funds directly. Transferring management of National Monuments to the NPS from other agencies is by no means a new practice. In 1933, President Roosevelt directed that all National Monuments existing at that time be consolidated under the NPS.¹⁴

NPS and Forest Service Mandates and Purpose of Mount St. Helens National Monument

Although both agencies manage our public lands, the Forest Service and the NPS have fundamentally different missions. A thorough analysis of their storied history and rivalry is

¹⁴ Exec. Order No. 6166 (1933).

beyond the scope of this Report, but the statutes creating and directing the two agencies offer some insight into the reasons for the differences and conflicts between these two land management agencies. The act creating the NPS directs it to manage NPS lands to, “conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.”¹⁵ In contrast, the Forest Service was created to manage National Forests, “to improve and protect the forest within the boundaries, or for the purpose of securing favorable conditions of water flows, and to furnish a continuous supply of timber.”¹⁶ The Forest Service’s mission now mandates that it manage National Forest lands for multiple use and sustained yield, including: “outdoor recreation, range, timber, watershed, and wildlife and fish purposes.”¹⁷ As even a cursory examination of these mandates reveals, the Forest Service was created to meet a variety of competing needs and uses on public land, while the NPS was created to provide access to, and prevent deterioration of, some of our Nation’s most valued natural, cultural, and scenic sites.

When Congress created the Mount St. Helens National Volcanic Monument, Congress made its goals explicit: “to protect [the Monument’s] geologic, ecologic, and cultural resources.”¹⁸ A 1982 Senate Report more explicitly described Congress’ intent as:

[T]o protect the significant geologic, biologic, ecologic, cultural, and human interest features of the area; to facilitate opportunities for continued scientific research in a manner consistent with the perpetuation of the significant features of the area; to provide for the interpretation of volcanic and other features for public education and enjoyment; and to provide for recreational and interpretative facilities and opportunities for the use of the public, including public access where

¹⁵ National Park Service Organic Act, 16 U.S.C. § 1 (2000).

¹⁶ Forest Service Organic Act, 16 U.S.C. § 475 (2000).

¹⁷ Multiple-Use, Sustained-Yield Act of 1960, 16 U.S.C. § 528 (2000).

¹⁸ Act of August 26, 1982, Pub. L. No. 97-243, 96 Stat. 301.

appropriate, which are compatible with the purposes for which the monument is established.”¹⁹

The Senate Report added that, “The Monument is likely to become a major tourist attraction for the area. The Secretary is expected and the final management plan anticipates to provide for reasonable public access to and visitors facilities in the interior of the Monument.”²⁰

Were it not for the long history of the Forest Service’s management of the public lands in the Gifford Pinchot National Forest, including much of the land that now comprises the Monument, one would be hard pressed to explain why Congress would have selected the Forest Service as the federal agency in charge of the Monument. To start, the NPS is the agency whose mission best fits Congress’ stated goals for the management of Mount St. Helens. Unlike the Forest Service, where recreation and preservation must compete with other land uses for funding and attention, resource protection and appropriate use are the only priorities for our Nation’s lands under the care of the NPS. Further, in addition to the National Parks themselves, the NPS manages 81 National Monuments, compared to the Forest Service’s six.²¹ The NPS has spent substantial time and money conducting detailed studies regarding the promotion of tourism, and developing models to predict the effects of this tourism on the economies of local communities.²² Moreover, the NPS has extensive experience in promoting the visitation of National Parks, and ensuring that visitation is sustainable.

¹⁹ Establishing a Mount St. Helens National Volcanic Monument in the State of Washington, S. Rep. No. 97-481, at 1-2 (1982).

²⁰ Establishing a Mount St. Helens National Volcanic Monument in the State of Washington, S. Rep. No. 97-481, at 9 (1982).

²¹ Gerald Williams, U.S. Dep’t Agric. Forest Serv., National Monuments and the Forest Service (2003), http://www.nps.gov/history/history/online_books/fs/monuments.htm.

²² See e.g., Money Generation Model, developed in conjunction with Michigan State University. <http://web4.msue.msu.edu/mgm2/default.htm>.

Federal Funding

Although both the Forest Service and the NPS rely on federal appropriations to fund the core operation of units under their respective management,²³ there are significant differences in the manner in which each agency's funding requests take place that directly impact the money available to units such as Mount St. Helens. For example, although both the NPS and the Forest Service request a federal budget each year through a "Budget Justification,"²⁴ the fundamental building blocks of the NPS Budget Justification differ significantly from those of the Forest Service. The NPS requests federal funds by category (*e.g.*, maintenance) for each specific park unit.²⁵ Using this method, categorized expenditures justified for one park are earmarked for those categories of expenditures in that particular park. This budget method creates a stable and reasonably predictable budget at the administrative level of a particular NPS unit, and is appropriate to serve the mandate of the NPS.

The Forest Service approaches its budget in a very different manner. Instead of budgeting for categories of expenditures for each unit, the Forest Service budgets for categories of expenditures over the system as a whole.²⁶ This creates a structure consistent with the Forest Service's multiple use, sustained yield mandate where funds are more fluid and can be directed toward the Forest Service's most pressing priorities. Although this budgetary approach has merit in terms of managing the Nation's forests, which may have similar needs (*e.g.*, fire control), it does not serve to ensure that unique units such as National Monuments receive adequate

²³ "NPS Budget Process." <http://home.nps.gov/applications/budget2/npsbud.htm>; "USDA Forest Service Fiscal Year 2009 Budget." <http://www.fs.fed.us/aboutus/budget/>.

²⁴ "NPS Budget Process." <http://home.nps.gov/applications/budget2/npsbud.htm>; "USDA Forest Service Fiscal Year 2009 Budget." <http://www.fs.fed.us/aboutus/budget/>.

²⁵ *See generally*, NPS Budget Justifications. <http://home.nps.gov/applications/budget2/gbchoose.htm>.

²⁶ *See* United States Department of Agriculture Forest Service Fiscal Year 2008 President's Budget Overview. <http://www.fs.fed.us/aboutus/budget/>.

attention. Instead, the Forest Service's method serves to place monuments such as Mount St. Helens in direct competition with other Forest Service units for recreational funding, and perhaps more importantly, in direct competition for funding with other priorities of the Forest Service, such as fire prevention and control.²⁷

For these reasons, National Monuments under the management of the NPS tend to receive higher operational funding from the federal government than do equivalent Forest Service units, including Mount St. Helens. As an example, in 2007, Mount St. Helens had a budget of \$1.2 million, only 30 percent of which came from taxpayer funding.²⁸ This means that only \$360,000 came from the Forest Service in the form of federal funds,²⁹ or approximately \$3.26 per acre. In comparison, Lava Beds National Monument (California), under the care of the NPS received approximately \$1.54 million in federal funding for its base operations in 2006 (approximately \$32.99 per acre).³⁰ Considering other volcanic National Monuments under the care of the NPS, we find on the high end, Devil's Postpile National Monument (California), and Capulin National Monument (New Mexico), which saw per acre allocations of \$414.79 and \$837.33, respectively. On the low end we find El Malpais National Monument (New Mexico) and Craters of the Moon National Monument (Idaho), which received operational funding of \$10.44 per acre and \$21.05 per acre, respectively.³¹ And, though there is wide variation in the per acre allocation of federal funding for NPS-managed monuments, the monuments receiving

²⁷ See United States Department of Agriculture Forest Service Fiscal Year 2008 President's Budget Overview, 3 showing that fire management accounts for 45 percent of the Forest Service's total budget. <http://www.fs.fed.us/aboutus/budget/>.

²⁸ "Management & Environmental Ethics Issues: Shades of Gray." <http://www.fs.fed.us/gpnf/mshnvm/education/teachers-corner/projects/>.

²⁹ *Id.* The remaining \$840,000 in Mount St. Helens 2007 budget came from fee collection.

³⁰ Funding: "The United States Department of the Interior Budget Justifications by State for FY 2008." <http://home.nps.gov/applications/budgetweb/fy2008/sbtoc.htm>; Acreage: "National Park Service Listing of Acreage." <http://www.nature.nps.gov/stats/Acreage/acrebypark08fy.pdf?CFID=2187803&CFTOKEN=67847588>.

³¹ *Id.*

the least federal funding still received *three to six times more* funding on a per acre basis than did Mount St. Helens.

Recent construction on Mount Rainier, Mount St. Helens' sister volcano, provides a poignant example of the differences in funding available under the NPS and Forest Service as well. Under the management of the Forest Service, five visitor centers were constructed at Mount St. Helens in order to connect the public with the monument. However, due to a lack of funds, in 2007 the Forest Service placed the Silver Lake visitor center under the management of Washington State Parks and closed down the Coldwater Ridge Visitor Center.³² Even before the Coldwater Ridge Visitor Center's closing, its exhibits had fallen into disrepair, directly impacting both the education and recreational opportunities of the public.³³ During the same period of time, Mount Rainier National Park received approximately \$21.2 million in funding to build the new Henry M. Jackson Memorial Visitor Center.³⁴ The money for Mount Rainier National Park was received through a line item construction request in the NPS Budget Justification,³⁵ and was received in addition to Mount Rainier's yearly operational budget.

In addition to employing a more favorable budget allocation method, Mount St. Helens National Monument may gain access to an additional source of funding under the NPS. On August 25, 2006, President Bush announced the Centennial Initiative, a project designed to encourage private contributions to the NPS by offering up to \$100 million in federal matching funds annually for projects that enhance an NPS unit.^{36, 37} For Fiscal Year 2008, approximately

³² Eric Robinson, Mount St. Helens visitor center soon closing for good, Seattle Times, October 25, 2007, available at http://seattletimes.nwsourc.com/html/travel/2003967092_webhelensvisitorcenter22.html.

³³ *Id.*

³⁴ <https://pwrms.nps.gov/mora/parknews/upload/FAQs%20JVC.pdf>

³⁵ *Id.*

³⁶ "President Launches National Park Centennial Initiative As Part of the Largest National Parks Budget in History." http://www.doi.gov/news/07_News_Releases/070205_FACTSHEET.html.

\$27.9 million was donated to Initiative projects from private sources, and the federal government nearly matched it with \$24.6 million.³⁸ Through the initiative, the NPS can request funding for projects to advance goals of improved stewardship, environmental leadership, education, professional excellence, or the recreational experience.³⁹ Examples of projects approved for Fiscal Year 2008 include installing a solar array at the Ohanapecosh Maintenance/Ranger building in Mount Rainier National Park, constructing an interpretive trail and amphitheater in the Hagerman Fossil Beds National Monument, “Connecting Science to Visitors and Scientists to Parks: Greater Yellowstone Science Learning Center,” at Yellowstone National Park, and rehabilitating Yosemite’s Iconic Tunnel View Overlook in Yosemite National Park.⁴⁰ The Centennial Initiative is set to run through the 100th anniversary of the founding of the NPS in 2016.⁴¹

Mount St. Helens National Park

Designating Mount St. Helens a National Park would provide additional economic benefits both to Mount St. Helens and its surrounding communities. These benefits are derived most notably from the promise of more visitors to Mount St. Helens, and the money spent on travel due to increased visitation. As observed by Weiler and Seidl, “[L]ocal visitors are less likely to care about the status of the protected area to motivate visitation.”⁴² Instead, “[L]ong-distance visitors, who are generally motor-vehicle based, often target sites precisely by their

³⁷ Although Congress has authorized some money for the Centennial Initiative, the complete program has not yet been Congressionally authorized.

³⁸ “Quick Summary and Statistics,” Centennial Challenge 2008. <http://www.nps.gov/2016/>.

³⁹ “Centennial Goal Summary,” Centennial Challenge 2008. <http://www.nps.gov/2016/>.

⁴⁰ “Approved Projects & Programs by Park.” <http://www.nps.gov/2016/>.

⁴¹ “President Launches National Park Centennial Initiative As Part of the Largest National Parks Budget in History.” http://www.doi.gov/news/07_News_Releases/070205_FACTSHEET.html.

⁴² Weiler, S. and A. Seidl. 2004. What’s in a Name? Extracting Econometric Drivers to Assess the Impact of National Park Designation. *J. of Regional Science*, vol. 44, no. 2, 245-262, 254.

National Park status.”⁴³ These are the visitors Mount St. Helens could expect to attract if redesignated a National Park.

Estimated effects of redesignation on visitation

Researchers at Colorado State University have developed a model to estimate additional visitation that can be expected from a National Monument being redesignated a National Park.⁴⁴ The model relied on data from eight sites at which National Monument to National Park conversions took place between 1979 and 2000.⁴⁵ The model predicts that, all else remaining the same, a site can expect an estimated 11,642 new visitors from the act of converting a National Monument to a National Park. Weiler and Seidl suggest that this occurs because designations of public lands signal to potential visitors both the significance of the site and the character of the visit the potential visitor can expect.⁴⁶ In other words, this factor represents a quantitative expression of the “prestige” of a National Park.

It is difficult to estimate the number of visitors to Mount St. Helens each year as the currently available numbers are conflated with the number of visitors to Gifford Pinchot National Forest on the whole. However, we can get a reasonable idea by looking at the number of visitors at the Mount St. Helens Visitor Centers. In 2006, the Mount St. Helens Visitor Center at Silver Lake saw 214,000 visitors, more than any other site on the monument where statistics were recorded.⁴⁷ The 11,642 additional visitors expected due to redesignation then would represent more than a five percent increase in visitation, without any additional amenities on the mountain.

⁴³ *Id.*

⁴⁴ Weiler, S. and A. Seidl. 2004. What’s in a Name? Extracting Econometric Drivers to Assess the Impact of National Park Designation. *J. of Regional Science*, vol. 44, no. 2, 245-262.

⁴⁵ *Id.* at 248.

⁴⁶ *Id.* at 245.

⁴⁷“Visitation Numbers at Highly Developed Sites: Mount St. Helens National Volcanic Monument.” http://visitmtsthelens.com/documents/d1178730194/visitation_numbers_at_highly_develop_sites.pdf.

As argued above, placing Mount St. Helens under the management of the NPS is likely to bring more funding to the monument, which will result in better tourist access and amenities. The estimate of 11,642 new visitors is likely low, since all National Monuments used in Weiler and Seidl's model were under the management of the NPS prior to their redesignation, and none were redesignated during the Centennial Initiative under which additional funding to improve access to Mount St. Helens is arguably more available. Mount St. Helens may also benefit from its location; its proximity to two major population centers and ready accessibility from heavily-traveled Interstate 5 may mean that its redesignation would result in more visitors than the redesignation of more remote monuments.

It is also worth noting that designating Mount St. Helens a National Park creates new opportunities for other Washington National Parks as well. Weiler and Seidl note that:

[R]edesignation does not in fact divert visitation from other sites but rather adds net new visitors to the NPS system. Such additions can most easily be visualized as vacation travelers specifically targeting regional National Parks, with a redesignation simply adding the new park to many such lists.⁴⁸

The addition of Mount St. Helens as a National Park may create an opportunity for the NPS to create a marketing strategy that promotes the volcanoes of the northwest. In particular, the proximity of Mount Rainier National Park could create unique promotional opportunities among Parks with a common geologic heritage. Furthermore, surrounding historic parks such as Fort Vancouver and Lewis and Clark National Historic Parks may see increased visitation from a Mount St. Helens redesignation.

⁴⁸ Weiler, S. and A. Seidl. 2004. What's in a Name? Extracting Econometric Drivers to Assess the Impact of National Park Designation. *J. of Regional Science*, vol. 44, no. 2, 245-262, 255.

Increased Economic Activity

National Parks attract both individuals and businesses to park gateway communities, resulting in economic growth at rates generally greater than state averages.⁴⁹ Visitors spend money on travel, food, lodging, and other goods and services that directly impact local private sector businesses. These expenditures then ripple through the economy as money earned from tourists is then spent by locals in the community.

Researchers at Michigan State University in collaboration with the NPS developed the Money Generation Model-Version 2 (MGM2), to estimate the economic impacts of National Park visitation on local gateway economies.⁵⁰ Specifically, the MGM2 estimates the contribution of visitor and park payroll spending to gateway economies within a 50-mile radius of a National Park using variables such as the payroll, operating expenses, construction expenses, and number and types of visits for a given park in a given year.⁵¹ The model uses multipliers based on the population of the relevant area to estimate secondary effects of park-related spending to estimate both direct and secondary effects of park-related spending.⁵²

In the absence of specific input data needed to predict the effects of tourism on the economies of communities surrounding Mount St. Helens, Lassen National Park (“Lassen NP”) provides a reasonable comparison. The Lassen NP region is very similar to the Mount St. Helens region in ways pertinent to tourism. Lassen NP is a 106,368-acre park⁵³ compared to Mount St.

⁴⁹ Jared Hardner & Bruce McKenney, The U.S. National Park System An Economic Asset at Risk 5 (Hardner & Gullison 2006).

⁵⁰ “Money Generation Model – Version 2.” <http://web4.canr.msu.edu/mgm2/default.htm>.

⁵¹ “MGM2 Operate.” <http://web4.canr.msu.edu/mgm2/default.htm>.

⁵² *Id.* Population areas are distinguished as, “Rural,” “Small Metro,” “Large Metro,” or “State.” Relevant generic multipliers have been developed for each.

⁵³ “National Park Service Listing of Acreage.”

<http://www.nature.nps.gov/stats/Acreage/acrebypark08fy.pdf?CFID=2187803&CFTOKEN=67847588>.

Helens 110,330 acres.⁵⁴ Lassen NP is a former National Monument that, previous to Mount St. Helens, was the last volcano to erupt in the contiguous United States.⁵⁵ Both volcanoes contain similar physical features such as boiling mud pots and hot springs.⁵⁶ Visitors to Lassen NP affect the economies of four California counties, Lassen, Plumas, Tehama, and Shasta, with a local population of approximately 300,587.⁵⁷ Visitors to Mount St. Helens can be expected to affect the economies of three Washington counties, Cowlitz, Lewis, and Skamania, with a local population of approximately 182,600.⁵⁸

In 2006, the most recent year in which economic impact estimates for Lassen National Park are available, the park saw approximately 388,741 recreational visits, resulting in approximately \$14.80 million in visitor spending.⁵⁹ Eighty-eight percent of visitor spending, more than \$13 million, came from non-local visitors.⁶⁰ Additionally, non-local visitor spending supported 245 jobs, resulting in \$6.05 million in personal income, and had a value added⁶¹ of over \$9.4 million.⁶² In addition to non-local visitor spending, Lassen NP park payroll also impacted the local economy, creating an estimated 114 total jobs (74 NPS jobs and 40 non-NPS jobs), which provided an additional \$5.85 million in personal income, and \$6.66 million in value added.⁶³

⁵⁴ Act of August 26, 1982, Pub. L. No. 97-243, 96 Stat. 301.

⁵⁵ "Lassen Volcanic National Monument." <http://www.nps.gov/lavo/>.

⁵⁶ *Id.*

⁵⁷ "CA County Population." <http://www.csac.counties.org/default.asp?id=399>.

⁵⁸ Although the local population supporting Mount St. Helens is smaller than that supporting Lassen National Park, both areas are considered "Small Metro" regions (50,000 < population < 500,000) for modeling purposes under the MGM2.⁵⁸ Because of this, the difference in population sizes is not likely significant to the instant analysis.

⁵⁹ Stynes, D.J. "National Park Visitor Spending and Payroll Impacts 2006." NPS System Report for 2006, October 2007, p. 23. <http://web4.msue.msu.edu/mgm2/default.htm>.

⁶⁰ *Id.*

⁶¹ Value-added is, "[T]he sum of employee compensation, income of sole proprietors and indirect business taxes." See MGM2 Definition of Terms. <http://web4.msue.msu.edu/mgm2/default.htm>.

⁶² Stynes, D.J. "National Park Visitor Spending and Payroll Impacts 2006." NPS System Report for 2006, October 2007, p. 23. <http://web4.msue.msu.edu/mgm2/default.htm>.

⁶³ *Id.* at 32.

Accepting that the economic effects on communities adjacent to Mount St. Helens would be reasonably similar to those at Lassen NP, we can make some rough predictions about the economic effects of redesignation. At Lassen NP we see that total spending per recreational visit is approximately \$38.06. As predicted by the Weiler and Seidl model, redesignation should result in at least 11,642 new visitors to Mount St. Helens in its first year as a National Park. Multiplying the spending factor (\$38.06) by the anticipated number of new visitors (11,642) leads to an estimate of more than \$443,000 generated in gateway communities from increased visitation as a result of redesignating Mount St. Helens National Volcanic Monument, Mount St. Helens National Park. Additionally, new NPS and non-NPS jobs could be expected to be created, potentially bringing with them personal incomes averaging over \$50,000 per new job.

Addressing local concerns

Various stakeholder groups in local communities have expressed concern that putting Mount St. Helens under the management of the NPS and/or redesignating the monument a National Park will hinder the ability of local communities to use and enjoy the area in the manner in which they have grown accustomed. In particular, some stakeholders have expressed concerns that additional restrictions would be placed on recreational hunting, fishing and motorized sport. These concerns must be taken into consideration if management of Mount St. Helens is to be successfully turned over to the NPS. The NPS has the flexibility however, to address these concerns while still developing a land management plan that achieves Mount St. Helens designation purposes.

Recreation

One common local concern is that if Mount St. Helens were redesignated a National Park, it would restrict hunting and fishing opportunities. Currently, the Forest Service allows limited elk hunting in the Monument in order to control the elk population.⁶⁴ Such limited hunting could be continued under the NPS. The NPS manages a range of public lands, including National Parks, National Preserves, National Monuments, and National Recreation Areas.⁶⁵ This variety of land classifications provides flexibility. For example, Congress has created a National Preserve around a National Park,⁶⁶ allowing hunting and potentially other more intensive recreational activities in the Preserve, while providing for greater restrictions in the Park.⁶⁷ Likewise, each National Park in the system has its own rules regarding the use of motorized vehicles within park boundaries, some of which are less restrictive than those for National Monuments. For instance, while public use of snowmobiles is allowed during the winter in Yellowstone National Park,⁶⁸ snowmobiles are not allowed in Craters of the Moon National Monument.⁶⁹

These flexible land management approaches could be used to mitigate against the loss of some of the more intensive recreation opportunities at Mount St. Helens. For example, a portion of the current Mount St. Helens National Monument could be converted to a National Park in order to realize the economic benefits of redesignation, and a preserve could be structured to

⁶⁴ Tom Paulu, "Elk Hunt will be no cake walk." *The Daily News*, July 13, 2007. Available at http://www.tdn.com/articles/2007/07/13/this_day/news10.txt.

⁶⁵ "Organization." Available at <http://www.nps.gov/aboutus/organization.htm>.

⁶⁶ *E.g.*, Denali National Park and Preserve; Great Sand Dunes National Park and Preserve.

⁶⁷ Denali National Park and Preserve Hunting Information, available at <http://www.nps.gov/dena/parkmgmt/upload/DENALI%20NATIONAL%20PARK%20AND%20PRESERVE%20HUNTING%20INFORMATION.pdf> (last visited, Oct 23, 2008).

⁶⁸ "Final Winter Use Rule for Yellowstone and Grand Teton Published in Federal Register." Available at <http://www.nps.gov/yell/parknews/07106.htm>.

⁶⁹ "Superintendent's Compendium." Available at <http://www.nps.gov/archive/crmo/compendium2002.htm>.

accommodate local uses like hunting. Additionally, the redesignation and transfer of the management of Mount St. Helens to the NPS would require the NPS to develop a new management plan for the new Park. This planning process would provide stakeholders, including the local recreation community, with an additional forum through which their concerns could be addressed.

It is also worth noting that the current frequency of hunting, fishing and snowmobiling in Mount St. Helens National Volcanic Monument may be modest. A 2002 survey in the Gifford Pinchot National Forest found that only seven percent of visitation corresponded to hunting and fishing and six percent to snowmobiling.⁷⁰ Because the Monument is relatively small (110,330 acres) compared to the Gifford Pinchot National Forest as a whole (1.3 million acres of land), even this low percentage likely exaggerates the use of the Monument itself for these recreational purposes. Regardless, redesignating the National Monument a National Park would not affect recreational activities in the remaining 1.2 million acres of the Gifford Pinchot National Forest, where hunting, fishing, snowmobiling, and other more intensive recreational activities would still be allowed. Lastly, even if some special recreational interests may be restricted, others may be expanded: there would likely be an increase in NPS trails, campsites and facilities for use by the public.

Air Quality Regulation

Some local stakeholders have also expressed concern that the redesignation of Mount St. Helens as a National Park would automatically result in the region becoming a Class I Air Shed, thereby imposing restrictions on logging and construction activities in surrounding areas. A

⁷⁰ Laboe, B. "Should the Forest Service ease restrictions on recreational use at Mount St. Helens?" Available at http://seattlepi.nwsource.com/getaways/333965_access04.html (last visited Jan. 5, 2008).

careful reading of the Clean Air Act (“CAA”) shows that this is not the case. Under the CAA, National Parks automatically became Class I areas if they exceeded six thousand acres in size and were in existence on August 7, 1977.⁷¹ Although National Parks created after 1977 may be redesignated as Class I areas, the redesignation process is the same for National Parks as it is for National Monuments.⁷² The redesignation of Mount St. Helens to a National Park does not make it any more likely under the law to become a Class I area than if it were to remain in its current designation.

Loss of Extraction and Recreation Industries

Individuals in some gateway communities have expressed a concern that industries such as logging and mining, in and around Mount St. Helens, would be lost by transferring Mount St. Helens into the care of the NPS. Logging and mining have not been allowed within the Mount St. Helens National Volcanic Monument since its designation in 1982.⁷³ Transferring the monument to the NPS and/or redesignating the land as a National Park would not alter this restriction.

Some stakeholders have also expressed concern that restrictions placed on hunting, fishing, snowmobiling, or the timber industry, would result in job losses in nearby communities. Several studies however, suggest that areas with protected lands experience as much, if not more, economic growth as similar lands that rely on resource exploitation.⁷⁴ Specifically, in a 2000 study researchers found that, “[C]ounties with protected lands are developing new and more diverse economic activities that in fact counterbalance the economic decline of natural resource

⁷¹ Clean Air Act, 42 U.S.C.A. § 7472(a)(4) (West 2002).

⁷² Clean Air Act, 42 U.S.C.A. § 7474(a)(1-2) (West 2002).

⁷³ Act of August 26, 1982, Pub. L. No. 97-243, § 4 (f-g), 96 Stat. 301.

⁷⁴ Hardner, J. and B. McKenney, “The U.S. National Park System: An Economic Asset at Risk,” Prepared for the National Parks Conservation Association, May 30, 2006, p. 6.

industries.”⁷⁵ A study of the expansion of a Canadian National Park bolsters this contention, finding that the economic benefits of a park expansion exceeded any potential costs including elimination of off-road vehicles, elimination of hunting, loss of timber harvesting, and loss of mining.⁷⁶ In particular, the study points to the fact motorized sport is generally undertaken by individual recreational users, as opposed to tour groups, and is therefore not likely to greatly affect local recreational businesses.⁷⁷ Further, restricting hunting within a park may actually increase the number of large game animals outside the park as populations will have a place to safely subsist and procreate.⁷⁸

Conclusion

The eruption of Mount St. Helens on May 18, 1980, transformed a place of unusual beauty, history, and natural resources into a stark and decimated environment distinct on the American landscape. Under the management of the Forest Service for the past 26 years, and as a National Monument, Mount St. Helens has not experienced the growth in visitation expected from its designation. The recent closing of the Coldwater Ridge visitor center emphasized this sad fact.

Placing Mount St. Helens under NPS management of the NPS would increase the likelihood that the local region would see the growth in visitorship originally expected, and make it more likely that the continued preservation and perpetuation of Mount St. Helens for scientific

⁷⁵ *Id.* at 21 *citing* Lorah, P. 2000. Population Growth, Economic Security, and Cultural Change in Wilderness Counties. USDA Forest Service Proceedings RMRS-P-15 Vol. 2: 230-37.

⁷⁶ Jim Johnson, Pacific Analytics Inc., The Economic Implications Waterton-Glacier International Peace Park: of Expanding into the Flathead Region of BC 17-23 (2005).

⁷⁷ Jim Johnson, Pacific Analytics Inc., The Economic Implications Waterton-Glacier International Peace Park: of Expanding into the Flathead Region of BC 17(2005).

⁷⁸ Jim Johnson, Pacific Analytics Inc., The Economic Implications Waterton-Glacier International Peace Park: of Expanding into the Flathead Region of B, 19 (2005).

research, recreation, public use, education and enjoyment, of Mount St. Helens—explicit Congressional goals—will be achieved. The mission and management style of the NPS a better fit to manage land designated by Congress to protect geologic, ecologic, and cultural resources. Under the NPS, Mount St. Helens is likely to enjoy more stable and potentially more bountiful funding. In addition, the prestige associated with designation as a National Park would attract a greater number of visitors. The economic benefits of such a designation would ripple through surrounding communities, and Washington State. Although redesignation may result in some minor use restrictions, these concerns can be mitigated, and any such loss almost certainly would be outweighed by the potential benefits. For these reasons, we conclude that the management of Mount St. Helens should, at a minimum, be transferred to the National Park Service. For Mount St. Helens and surrounding communities to receive maximum benefits however, we conclude that the Monument should also be redesignated a National Park.